



General Assembly

January Session, 2021

Committee Bill No. 804

LCO No. 4657



Referred to Committee on HOUSING

Introduced by:
(HSG)

***AN ACT CONCERNING INCLUSION IN CERTAIN COMMUNITIES,
ZONING REQUIREMENTS AND AFFORDABLE HOUSING.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 7-245 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2021*):

3 For the purposes of this chapter: (1) "Acquire a sewerage system"
4 means obtain title to all or any part of a sewerage system or any interest
5 therein by purchase, condemnation, grant, gift, lease, rental or
6 otherwise; (2) "alternative sewage treatment system" means a sewage
7 treatment system serving one or more buildings that utilizes a method
8 of treatment other than a subsurface sewage disposal system and that
9 involves a discharge to the groundwaters of the state; (3) "community
10 sewerage system" means any sewerage system serving two or more
11 residences in separate structures which is not connected to a municipal
12 sewerage system or which is connected to a municipal sewerage system
13 as a distinct and separately managed district or segment of such system;
14 (4) "construct a sewerage system" means to acquire land, easements,
15 rights-of-way or any other real or personal property or any interest
16 therein, plan, construct, reconstruct, equip, extend and enlarge all or any

17 part of a sewerage system; (5) "decentralized system" means managed
18 subsurface sewage disposal systems, managed alternative sewage
19 treatment systems or community sewerage systems that discharge
20 sewage flows of less than [five] seven thousand five hundred gallons
21 per day, are used to collect and treat domestic sewage, and involve a
22 discharge to the groundwaters of the state from areas of a municipality;
23 (6) "decentralized wastewater management district" means areas of a
24 municipality designated by the municipality through a municipal
25 ordinance when an engineering report has determined that the existing
26 subsurface sewage disposal systems may be detrimental to public health
27 or the environment and that decentralized systems are required and
28 such report is approved by the Commissioner of Energy and
29 Environmental Protection with concurring approval by the
30 Commissioner of Public Health, after consultation with the local
31 director of health; (7) "municipality" means any metropolitan district,
32 town, consolidated town and city, consolidated town and borough, city,
33 borough, village, fire and sewer district, sewer district and each
34 municipal organization having authority to levy and collect taxes; (8)
35 "operate a sewerage system" means own, use, equip, reequip, repair,
36 maintain, supervise, manage, operate and perform any act pertinent to
37 the collection, transportation and disposal of sewage; (9) "person" means
38 any person, partnership, corporation, limited liability company,
39 association or public agency; (10) "remediation standards" means
40 pollutant limits, performance requirements, design parameters or
41 technical standards for application to existing sewage discharges in a
42 decentralized wastewater management district for the improvement of
43 wastewater treatment to protect public health and the environment; (11)
44 "sewage" means any substance, liquid or solid, which may contaminate
45 or pollute or affect the cleanliness or purity of any water; and (12)
46 "sewerage system" means any device, equipment, appurtenance, facility
47 and method for collecting, transporting, receiving, treating, disposing of
48 or discharging sewage, including, but not limited to, decentralized
49 systems within a decentralized wastewater management district when
50 such district is established by municipal ordinance pursuant to section

51 7-247.

52 Sec. 2. Subsection (b) of section 7-246 of the general statutes is
53 repealed and the following is substituted in lieu thereof (*Effective October*
54 *1, 2021*):

55 (b) Each municipal water pollution control authority designated in
56 accordance with this section may prepare and periodically update a
57 water pollution control plan for the municipality. Such plan shall
58 designate and delineate the boundary of: (1) Areas served by any
59 municipal sewerage system; (2) areas where municipal sewerage
60 facilities are planned and the schedule of design and construction
61 anticipated or proposed; (3) areas where sewers are to be avoided; (4)
62 areas served by any community sewerage system not owned by a
63 municipality; (5) areas to be served by any proposed community
64 sewerage system not owned by a municipality; and (6) areas to be
65 designated as decentralized wastewater management districts. Such
66 plan shall also describe the means by which municipal programs are
67 being carried out to avoid community pollution problems, include
68 specific allocations of capacity to serve areas that could be developed
69 for residential or mixed-use buildings containing four or more dwelling
70 units and describe any programs wherein the local director of health
71 manages subsurface sewage disposal systems. The authority shall file a
72 copy of the plan and any periodic updates of such plan with the
73 Commissioner of Energy and Environmental Protection and the
74 Commissioner of Housing and shall manage or ensure the effective
75 supervision, management, control, operation and maintenance of any
76 community sewerage system or decentralized wastewater management
77 district not owned by a municipality.

78 Sec. 3. Section 19a-35a of the general statutes is repealed and the
79 following is substituted in lieu thereof (*Effective October 1, 2021*):

80 (a) Notwithstanding the provisions of chapter 439 and sections 22a-
81 430 and 22a-430b, not later than July 1, 2022, the Commissioner of Public
82 Health shall, [within available appropriations,] pursuant to section 19a-

83 36, establish and define categories of discharge that constitute
84 alternative on-site sewage treatment systems with capacities of [five]
85 seven thousand five hundred gallons or less per day. After the
86 establishment of such categories, [said] the commissioner shall have
87 jurisdiction, within available appropriations, to issue or deny permits
88 and approvals for such systems and for all discharges of domestic
89 sewage to the groundwaters of the state from such systems. [Said] The
90 commissioner shall, pursuant to section 19a-36, [and within available
91 appropriations,] establish minimum requirements for alternative on-site
92 sewage treatment systems under [said] the commissioner's jurisdiction,
93 including, but not limited to: (1) Requirements related to activities that
94 may occur on the property; (2) changes that may occur to the property
95 or to buildings on the property that may affect the installation or
96 operation of such systems; and (3) procedures for the issuance of
97 permits or approvals by [said] the commissioner, a local director of
98 health, or a sanitarian licensed pursuant to chapter 395. A permit or
99 approval granted by [said] the commissioner, such local director of
100 health or such sanitarian for an alternative on-site sewage treatment
101 system pursuant to this section shall: (A) Not be inconsistent with the
102 requirements of the federal Water Pollution Control Act, 33 USC 1251 et
103 seq., the federal Safe Drinking Water Act, 42 USC 300f et seq., and the
104 standards of water quality adopted pursuant to section 22a-426, as such
105 laws and standards may be amended from time to time, (B) not be
106 construed or deemed to be an approval for any other purpose,
107 including, but not limited to, any planning and zoning or municipal
108 inland wetlands and watercourses requirement, and (C) be in lieu of a
109 permit issued under section 22a-430 or 22a-430b. For purposes of this
110 section, "alternative on-site sewage treatment system" means a sewage
111 treatment system serving one or more buildings on a single parcel of
112 property that utilizes a method of treatment other than a subsurface
113 sewage disposal system and that involves a discharge of domestic
114 sewage to the groundwaters of the state.

115 (b) In establishing and defining categories of discharge that constitute
116 alternative on-site sewage treatment systems pursuant to subsection (a)

117 of this section, and in establishing minimum requirements for such
118 systems pursuant to section 19a-36, [said] the commissioner shall
119 consider all relevant factors, including, but not limited to: (1) The impact
120 that such systems or discharges may have individually or cumulatively
121 on public health and the environment, (2) the impact that such systems
122 and discharges may have individually or cumulatively on land use
123 patterns, and (3) recommendations regarding responsible growth made
124 to [said] the commissioner by the Secretary of the Office of Policy and
125 Management through the Office of Responsible Growth established by
126 Executive Order No. 15 of Governor M. Jodi Rell.

127 (c) The Commissioner of Energy and Environmental Protection shall
128 retain jurisdiction over any alternative on-site sewage treatment system
129 not under the jurisdiction of the Commissioner of Public Health. The
130 provisions of title 22a shall apply to any such system not under the
131 jurisdiction of the Commissioner of Public Health. The provisions of this
132 section shall not affect any permit issued by the Commissioner of
133 Energy and Environmental Protection prior to [July 1, 2007] October 1,
134 2021, and the provisions of title 22a shall continue to apply to any such
135 permit until such permit expires.

136 (d) A permit or approval denied by the Commissioner of Public
137 Health, a local director of health or a sanitarian pursuant to subsection
138 (a) of this section shall be subject to an appeal in the manner provided
139 in section 19a-229.

140 Sec. 4. Section 8-1aa of the general statutes is repealed and the
141 following is substituted in lieu thereof (*Effective October 1, 2021*):

142 As used in section 8-2, as amended by this act, and sections 6 and 7
143 of this act:

144 (1) "Traprock ridge" means Beacon Hill, Saltonstall Mountain,
145 Totoket Mountain, Pistapaug Mountain, Fowler Mountain, Beseck
146 Mountain, Higby Mountain, Chauncey Peak, Lamentation Mountain,
147 Cathole Mountain, South Mountain, East Peak, West Peak, Short

148 Mountain, Ragged Mountain, Bradley Mountain, Pinnacle Rock,
149 Rattlesnake Mountain, Talcott Mountain, Hatchett Hill, Peak Mountain,
150 West Suffield Mountain, Cedar Mountain, East Rock, Mount Sanford,
151 Prospect Ridge, Peck Mountain, West Rock, Sleeping Giant, Pond Ledge
152 Hill, Onion Mountain, The Sugarloaf, The Hedgehog, West Mountains,
153 The Knolls, Barndoor Hills, Stony Hill, Manitook Mountain, Rattlesnake
154 Hill, Durkee Hill, East Hill, Rag Land, Bear Hill, Orenaug Hills;

155 (2) "Amphibolite ridge" means Huckleberry Hill, East Hill, Ratlum
156 Hill, Mount Hoar, Sweetheart Mountain;

157 (3) "Ridgeline" means the line on a traprock or amphibolite ridge
158 created by all points at the top of a fifty per cent slope, which is
159 maintained for a distance of fifty horizontal feet perpendicular to the
160 slope and which consists of surficial basalt geology, identified on the
161 map prepared by Stone et al., United States Geological Survey, entitled
162 "Surficial Materials Map of Connecticut";

163 (4) "Ridgeline setback area" means the area bounded by (A) a line that
164 parallels the ridgeline at a distance of one hundred fifty feet on the more
165 wooded side of the ridge, and (B) the contour line where a ridge of less
166 than fifty per cent is maintained for fifty feet or more on the rockier side
167 of the slope, mapped pursuant to section 8-2, as amended by this act;

168 (5) "Development" means the construction, reconstruction, alteration,
169 or expansion of a building; [and]

170 (6) "Building" means any structure other than (A) a facility as defined
171 in section 16-50i or (B) structures of a relatively slender nature compared
172 to the buildings to which they are associated, including but not limited
173 to chimneys, flagpoles, antennas, utility poles and steeples; [.]

174 (7) "Middle housing" includes duplexes, triplexes, quadplexes,
175 cottage clusters and townhouses;

176 (8) "Cottage cluster" means a grouping of at least four detached
177 housing units per acre, each of which has an area of less than one

178 thousand two hundred square feet, that are located around a common
179 courtyard;

180 (9) "Townhouse" means a residential building consisting of one or
181 more dwelling units constructed in a grouping of three or more attached
182 units, each of which (A) extends from foundation to roof, (B) shares at
183 least one common wall with an adjacent unit, and (C) has open space on
184 at least two sides; and

185 (10) "Accessory apartment" means a separate living unit that (A) is
186 located on the same lot as a larger primary dwelling unit, (B) has a full
187 kitchen, (C) has a square footage that is not more than thirty per cent of
188 the total square footage of the primary dwelling unit, (D) is not billed
189 separately from such primary dwelling unit for utilities, and (E)
190 complies with the building code and health and safety regulations.

191 Sec. 5. Section 8-2 of the general statutes is repealed and the following
192 is substituted in lieu thereof (*Effective October 1, 2021*):

193 (a) (1) The zoning commission of each city, town or borough is
194 authorized to regulate, within the limits of such municipality: [, the] (A)
195 The height, number of stories and size of buildings and other structures;
196 (B) the percentage of the area of the lot that may be occupied; (C) the
197 size of yards, courts and other open spaces; (D) the density of
198 population and the location and use of buildings, structures and land
199 for trade, industry, residence or other purposes, including water-
200 dependent uses, as defined in section 22a-93; [,] and (E) the height, size,
201 location, brightness and illumination of advertising signs and
202 billboards, [. Such bulk regulations may allow for cluster development,
203 as defined in section 8-18] except as provided in subsection (f) of this
204 section.

205 (2) Such zoning commission may divide the municipality into
206 districts of such number, shape and area as may be best suited to carry
207 out the purposes of this chapter; and, within such districts, it may
208 regulate the erection, construction, reconstruction, alteration or use of

209 buildings or structures and the use of land. All [such] zoning regulations
210 shall be uniform for each class or kind of buildings, structures or use of
211 land throughout each district, but the regulations in one district may
212 differ from those in another district. [, and]

213 (3) Such zoning regulations may provide that certain classes or kinds
214 of buildings, structures or uses of land are permitted only after
215 obtaining a special permit or special exception from a zoning
216 commission, planning commission, combined planning and zoning
217 commission or zoning board of appeals, whichever commission or
218 board the regulations may, notwithstanding any special act to the
219 contrary, designate, subject to standards set forth in the regulations and
220 to conditions necessary to protect the public health, safety, convenience
221 and property values. [Such]

222 (b) Zoning regulations adopted pursuant to subsection (a) of this
223 section shall: [be]

224 (1) Be made in accordance with a comprehensive plan and in
225 [adopting such regulations the commission shall consider]
226 consideration of the plan of conservation and development [prepared]
227 adopted under section 8-23; [. Such regulations shall be]

228 (2) Be designed to (A) lessen congestion in the streets; [to] (B) secure
229 safety from fire, panic, flood and other dangers; [to] (C) promote health
230 and the general welfare; [to] (D) provide adequate light and air; [to
231 prevent the overcrowding of land; to] (E) avoid undue concentration of
232 population; [and to] (F) facilitate the adequate provision for
233 transportation, water, sewerage, schools, parks and other public
234 requirements; [. Such regulations shall be] and (G) combat
235 discrimination and take other meaningful actions that (i) overcome
236 patterns of segregation, (ii) replace segregated living patterns with
237 integrated and balanced living patterns, (iii) address significant
238 disparities in housing needs and access to opportunities, and (iv) foster
239 inclusive communities that eliminate barriers restricting access to
240 opportunities based on protected characteristics;

241 (3) Be made with reasonable consideration as to [the character of the
242 district and its peculiar] a district's physical suitability for particular
243 uses and with a view to conserving the value of buildings and
244 encouraging the most appropriate use of land throughout [such] a
245 municipality; [. Such regulations may, to the extent consistent with soil
246 types, terrain, infrastructure capacity and the plan of conservation and
247 development for the community, provide for cluster development, as
248 defined in section 8-18, in residential zones. Such regulations shall also
249 encourage]

250 (4) Provide for (A) the development of housing opportunities,
251 including, but not limited to, opportunities for [multifamily dwellings,
252 consistent with soil types, terrain and infrastructure capacity] accessory
253 apartments, middle housing and residential mixed-use buildings
254 containing four or more dwelling units, for all residents of the
255 municipality and the planning region in which the municipality is
256 located, as designated by the Secretary of the Office of Policy and
257 Management under section 16a-4a, and [. Such regulations shall also
258 promote] (B) the identification of specific areas that allow such
259 development;

260 (5) Promote housing choice and economic diversity in housing [,
261 including housing for] through the express allowance of housing that
262 could feasibly be occupied by both low and moderate income
263 households; [, and shall encourage]

264 (6) Expressly allow the development of housing which will meet the
265 housing needs identified in the state's consolidated plan for housing and
266 community development prepared pursuant to section 8-37t and in the
267 housing component and the other components of the state plan of
268 conservation and development prepared pursuant to section 16a-26; [. Zoning
269 regulations shall be]

270 (7) Allow for the creation of as-of-right accessory apartments that
271 include permanent provisions for independent living in accordance
272 with the requirements of section 6 of this act;

273 (8) Allow for the creation of middle housing in accordance with the
274 requirements of section 7 of this act;

275 (9) Allow residential buildings containing at least four dwelling units,
276 or mixed-use buildings that allow dwelling units, in (A) at least fifty per
277 cent of the area within a one-half mile radius of a transit station,
278 including a rapid transit or commuter rail station or a bus or ferry
279 terminal, and (B) at least fifty per cent of the area within a one-quarter
280 mile radius of an area of concentrated development, such as a
281 commercial center, an existing residential or commercial district or a
282 village district established pursuant to section 8-2j, provided the
283 calculation of areas described in subparagraphs (A) and (B) of this
284 subdivision shall be net of all regulated inland wetlands and
285 watercourses;

286 (10) Allow residential buildings containing at least four dwelling
287 units, mixed-use buildings that allow dwelling units and middle
288 housing on at least ten per cent of land within the municipality, net of
289 regulated inland wetlands and watercourses, (A) provided lots for
290 which sewage, stormwater, water or traffic infrastructure renders
291 development thereof infeasible shall not count toward such percentage,
292 and (B) except that any municipality with a population of five thousand
293 or less shall not be subject to the provisions of this subdivision;

294 (11) Limit parking spaces to one for each studio or one-bedroom
295 dwelling unit and two for each dwelling unit with two or more
296 bedrooms;

297 (12) Be made with reasonable consideration for their impact on
298 agriculture, as defined in subsection (q) of section 1-1; [.]

299 (13) Provide that proper provisions be made for soil erosion and
300 sediment control pursuant to section 22a-329;

301 (14) Be made with reasonable consideration for the protection of
302 existing and potential public surface and ground drinking water

303 supplies; and

304 (15) In any municipality that is contiguous to Long Island Sound, (A)
305 be made with reasonable consideration for the restoration and
306 protection of the ecosystem and habitat of Long Island Sound; (B) be
307 designed to reduce hypoxia, pathogens, toxic contaminants and
308 floatable debris on Long Island Sound; and (C) provide that such
309 municipality's zoning commission consider the environmental impact
310 on Long Island Sound of any proposal for development.

311 (c) Zoning regulations adopted pursuant to subsection (a) of this
312 section may: [be]

313 (1) To the extent consistent with soil types, terrain and water, sewer
314 and traffic infrastructure capacity for the community, provide for or
315 require cluster development, as defined in section 8-18;

316 (2) Be made with reasonable consideration for the protection of
317 historic factors; [and shall be made with reasonable consideration for
318 the protection of existing and potential public surface and ground
319 drinking water supplies. On and after July 1, 1985, the regulations shall
320 provide that proper provision be made for soil erosion and sediment
321 control pursuant to section 22a-329. Such regulations may also
322 encourage]

323 (3) Require or promote (A) energy-efficient patterns of development,
324 (B) the use of solar and other renewable forms of energy, (C) combined
325 heat and power, and (D) energy conservation; [. The regulations may
326 also provide for]

327 (4) Provide incentives for developers who use [passive solar energy
328 techniques, as defined in subsection (b) of section 8-25, in planning a
329 residential subdivision development. The incentives may include, but
330 not be] (A) solar and other renewable forms of energy, (B) combined
331 heat and power, and (C) energy conservation techniques, including, but
332 not limited to, cluster development, higher density development and

333 performance standards for roads, sidewalks and underground facilities
334 in the subdivision; [. Such regulations may provide]

335 (5) Provide for a municipal system for the creation of development
336 rights and the permanent transfer of such development rights, which
337 may include a system for the variance of density limits in connection
338 with any such transfer; [. Such regulations may also provide]

339 (6) Provide for notice requirements in addition to those required by
340 this chapter; [. Such regulations may provide]

341 (7) Provide for conditions on operations to collect spring water or
342 well water, as defined in section 21a-150, including the time, place and
343 manner of such operations; [. No such regulations shall prohibit] and

344 (8) In any municipality where a traprock ridge or an amphibolite
345 ridge is located, (A) provide for development restrictions in ridgeline
346 setback areas; and (B) restrict quarrying and clear cutting, except that
347 the following operations and uses shall be permitted in ridgeline setback
348 areas, as of right: (i) Emergency work necessary to protect life and
349 property; (ii) any nonconforming uses that were in existence and that
350 were approved on or before the effective date of regulations adopted
351 pursuant to this section; and (iii) selective timbering, grazing of
352 domesticated animals and passive recreation.

353 (d) Zoning regulations adopted pursuant to subsection (a) of this
354 section shall not:

355 (1) Prohibit the operation of any family child care home or group
356 child care home in a residential zone; [. No such regulations shall
357 prohibit]

358 (2) (A) Prohibit the use of receptacles for the storage of items
359 designated for recycling in accordance with section 22a-241b or require
360 that such receptacles comply with provisions for bulk or lot area, or
361 similar provisions, except provisions for side yards, rear yards and front
362 yards; [. No such regulations shall] or (B) unreasonably restrict access to

363 or the size of such receptacles for businesses, given the nature of the
364 business and the volume of items designated for recycling in accordance
365 with section 22a-241b, that such business produces in its normal course
366 of business, provided nothing in this section shall be construed to
367 prohibit such regulations from requiring the screening or buffering of
368 such receptacles for aesthetic reasons; [. Such regulations shall not
369 impose]

370 (3) Impose conditions and requirements on manufactured homes,
371 including mobile manufactured homes, having as their narrowest
372 dimension twenty-two feet or more and built in accordance with federal
373 manufactured home construction and safety standards or on lots
374 containing such manufactured homes, [which] including mobile
375 manufactured home parks, if those conditions and requirements are
376 substantially different from conditions and requirements imposed on
377 (A) single-family dwellings; [and] (B) lots containing single-family
378 dwellings; [. Such regulations shall not impose conditions and
379 requirements on developments to be occupied by manufactured homes
380 having as their narrowest dimension twenty-two feet or more and built
381 in accordance with federal manufactured home construction and safety
382 standards which are substantially different from conditions and
383 requirements imposed on] or (C) multifamily dwellings, lots containing
384 multifamily dwellings, cluster developments or planned unit
385 developments; [. Such regulations shall not prohibit]

386 (4) (A) Prohibit the continuance of any nonconforming use, building
387 or structure existing at the time of the adoption of such regulations; [or]
388 (B) require a special permit or special exception for any such
389 continuance; [. Such regulations shall not] (C) provide for the
390 termination of any nonconforming use solely as a result of nonuse for a
391 specified period of time without regard to the intent of the property
392 owner to maintain that use; [. Such regulations shall not] or (D)
393 terminate or deem abandoned a nonconforming use, building or
394 structure unless the property owner of such use, building or structure
395 voluntarily discontinues such use, building or structure and such

396 discontinuance is accompanied by an intent to not reestablish such use,
397 building or structure, [The demolition or deconstruction of a
398 nonconforming use, building or structure shall not by itself be evidence
399 of such property owner's intent to not reestablish such use, building or
400 structure. Unless such town opts out, in accordance with the provisions
401 of subsection (j) of section 8-1bb, such regulations shall not prohibit]
402 except that such regulations may provide for the termination of any
403 nonconforming use, building or structure, other than any such use,
404 building or structure for housing purposes, by (i) specifying the time by
405 which such nonconforming use, building or structure shall terminate, or
406 (ii) setting forth a formula by which the mandatory termination of any
407 such nonconforming use, building or structure shall be fixed so as to
408 allow an investor to recover the amortization of his or her investment in
409 such nonconforming use, building or structure;

410 (5) Require that, for each application for any building with four or
411 more dwelling units, any approval of such application be through a
412 rezoning, including as a special development or planned development
413 district, or a special permit review, or any such application receive a
414 public hearing, unless single-family dwellings are similarly subject to
415 such requirements;

416 (6) Prohibit the installation of temporary health care structures for
417 use by mentally or physically impaired persons [in accordance with the
418 provisions of section 8-1bb if such structures comply with the provisions
419 of said section] pursuant to section 8-1bb, as amended by this act, unless
420 the municipality opts out pursuant to subsection (j) of said section;

421 (7) Consider, or require calculations for, traffic needs, provided any
422 such calculation related to vehicle miles traveled, vehicle miles traveled
423 per capita, vehicle trip generation rates and vehicle trips generated may
424 be used to (A) reduce the amount of required parking for a
425 development, or (B) require public sidewalks, bicycle racks or bus
426 shelters; and

427 (8) Prohibit the operation in a residential zone of any cottage food

428 operation, as defined in section 21a-62b.

429 (e) Any city, town or borough which adopts the provisions of this
430 chapter may, by vote of its legislative body, exempt municipal property
431 from the regulations prescribed by the zoning commission of such city,
432 town or borough, [;] but unless it is so voted, municipal property shall
433 be subject to such regulations.

434 [(b) In any municipality that is contiguous to Long Island Sound the
435 regulations adopted under this section shall be made with reasonable
436 consideration for restoration and protection of the ecosystem and
437 habitat of Long Island Sound and shall be designed to reduce hypoxia,
438 pathogens, toxic contaminants and floatable debris in Long Island
439 Sound. Such regulations shall provide that the commission consider the
440 environmental impact on Long Island Sound of any proposal for
441 development.

442 (c) In any municipality where a traprock ridge, as defined in section
443 8-1aa, or an amphibolite ridge, as defined in section 8-1aa, is located the
444 regulations may provide for development restrictions in ridgeline
445 setback areas, as defined in said section. The regulations may restrict
446 quarrying and clear cutting, except that the following operations and
447 uses shall be permitted in ridgeline setback areas, as of right: (1)
448 Emergency work necessary to protect life and property; (2) any
449 nonconforming uses that were in existence and that were approved on
450 or before the effective date of regulations adopted under this section;
451 and (3) selective timbering, grazing of domesticated animals and
452 passive recreation.]

453 [(d)] (f) Any advertising sign or billboard that is not equipped with
454 the ability to calibrate brightness or illumination shall be exempt from
455 any municipal ordinance or regulation regulating such brightness or
456 illumination that is adopted by a city, town or borough, pursuant to
457 subsection (a) of this section, after the date of installation of such
458 advertising sign or billboard. [pursuant to subsection (a) of this section.]

459 (g) Any owner of property located in a municipality, the zoning
460 regulations of which such owner alleges are noncompliant with the
461 provisions of subdivisions (7) to (11), inclusive, of subsection (b) of this
462 section or section 6 or 7 of this act, may file an application in the superior
463 court for the judicial district in which such municipality is located to
464 enjoin the enforcement of such regulations. If such court finds that such
465 municipality failed to comply with the provisions of said subdivisions,
466 such court may issue an injunction for such purpose.

467 Sec. 6. (NEW) (*Effective October 1, 2021*) (a) Any zoning regulations
468 adopted pursuant to section 8-2 of the general statutes, as amended by
469 this act, concerning as-of-right accessory apartments shall:

470 (1) Designate spaces within the municipality in which accessory
471 apartments are allowed, provided at least one accessory apartment shall
472 be allowed on each lot with an area equal to or greater than twenty
473 thousand square feet that either contains a single-family dwelling or is
474 zoned primarily for single-family dwellings;

475 (2) Allow accessory apartments to be attached to or located within the
476 proposed or existing primary dwelling, such as with attached garages,
477 storage areas or similarly used spaces, in an accessory structure, or
478 detached from the proposed or existing primary dwelling and located
479 on the same lot as such dwelling;

480 (3) Require a gross area for accessory apartments of up to thirty per
481 cent of the primary dwelling on the same lot or one thousand two
482 hundred square feet, whichever is less, except that such regulations may
483 allow a larger gross area for such apartments;

484 (4) For an accessory apartment that is not located within an existing
485 structure, require a setback of not more than ten feet from the side and
486 rear boundaries of the lot on which such apartment is located;

487 (5) Create an as-of-right permit application and review process for
488 approval of accessory apartments that is conducted administratively

489 and without a public hearing, in accordance with subsection (b) of this
490 section;

491 (6) Ensure that any additional standards regarding accessory
492 apartments related to height, landscaping and architectural design do
493 not (A) conflict with this section, (B) adversely affect affordability, or (C)
494 exceed any such standards as they are applied to single-family
495 dwellings in the municipality;

496 (7) Be prohibited from requiring (A) a passageway between any such
497 accessory apartment and any such primary dwelling, (B) an exterior
498 door for any such accessory apartment, except as required by the
499 applicable building code, (C) additional parking spaces for any such
500 accessory apartment beyond the minimum required for any such
501 primary dwelling or fees in lieu of parking otherwise allowed by section
502 8-2c of the general statutes, or (D) owner occupancy of any such primary
503 dwelling or accessory apartment; and

504 (8) Be interpreted and enforced such that nothing in this section shall
505 be in derogation of applicable building code or other requirements
506 where a private sewerage system is being used, provided approval for
507 any such accessory apartment shall not be unreasonably withheld.

508 (b) The as-of-right permit application and review process for
509 approval of accessory apartments shall require that a decision on any
510 such application be rendered not later than sixty-five days after receipt
511 of such application by the applicable zoning commission, except that an
512 applicant may consent to one or more extensions of not more than an
513 additional sixty-five days or may withdraw such application. Such an
514 application shall be deemed approved for any failure of the zoning
515 commission to so render a decision during the period set forth in this
516 subsection or any extension thereof.

517 (c) A municipality shall not (1) condition the approval of an accessory
518 apartment on the correction of a nonconforming use; or (2) require the
519 installation of fire sprinklers in an accessory apartment if such

520 sprinklers are not required for the primary dwelling located on the same
521 lot.

522 (d) A municipality, special district, sewer or water authority shall not
523 (1) consider an accessory apartment to be a new residential use for the
524 purposes of calculating connection fees or capacity charges for utilities,
525 including water and sewer service, unless such accessory apartment
526 was constructed with a new single-family dwelling on the same lot, or
527 (2) require the installation of a new or separate utility connection
528 directly to an accessory apartment or impose a related connection fee or
529 capacity charge.

530 (e) If a municipality fails to adopt new regulations or amend existing
531 regulations that comply with the provisions of this section, any
532 noncompliant existing regulation shall become null and void and such
533 municipality shall approve or deny applications for accessory
534 apartments in accordance with the requirements for regulations set
535 forth in the provisions of this section until such municipality adopts or
536 amends a regulation in compliance with this section. A municipality
537 may not use or impose additional standards beyond those set forth in
538 this section.

539 Sec. 7. (NEW) (*Effective October 1, 2021*) (a) Any zoning regulations
540 adopted pursuant to section 8-2 of the general statutes, as amended by
541 this act, concerning middle housing shall:

542 (1) Designate areas within the municipality in which at least three
543 types of middle housing are allowed, provided such middle housing
544 shall be allowed on each lot in (A) at least fifty per cent of the area within
545 a one-half-mile radius of a transit station, including a rapid transit or
546 commuter rail station or a bus or ferry terminal, and (B) at least fifty per
547 cent of the area within a one-quarter-mile radius of an area of
548 concentrated development, such as a commercial center, an existing
549 residential or commercial district or a village district established
550 pursuant to section 8-2 of the general statutes, as amended by this act;

551 (2) Create an as-of-right permit application and review process for
552 approval of middle housing that is conducted administratively and
553 without a public hearing in accordance with subsection (b) of this
554 section; and

555 (3) Ensure that any additional standards regarding middle housing
556 related to height, setbacks, landscaping and architectural design do not
557 (A) conflict with this section, (B) adversely affect affordability, or (C)
558 exceed any such standards as they are applied to single-family
559 dwellings in the municipality.

560 (b) The as-of-right permit application and review process for
561 approval of middle housing shall require that a decision on any such
562 application be rendered not later than sixty-five days after receipt of
563 such application by the applicable zoning commission, except that an
564 applicant may consent to one or more extensions of not more than an
565 additional sixty-five days or may withdraw such application.

566 (c) If a municipality fails to adopt new regulations or amend existing
567 regulations that comply with the provisions of this section, any
568 noncompliant existing regulation shall become null and void and such
569 municipality shall approve or deny applications for middle housing in
570 accordance with the requirements for regulations set forth in the
571 provisions of this section until such municipality adopts or amends a
572 regulation in compliance with this section.

573 (d) A municipality shall not (1) use or impose additional standards
574 beyond those set forth in this section that in any way discourage
575 through unreasonable costs or delays the development of such middle
576 housing, or (2) condition the approval of middle housing on the
577 correction of a nonconforming use.

578 Sec. 8. Section 8-1c of the general statutes is repealed and the
579 following is substituted in lieu thereof (*Effective October 1, 2021*):

580 (a) As used in this section, "municipal agency" means a municipal

581 zoning commission, planning commission, combined planning and
582 zoning commission, zoning board of appeals or inland wetlands
583 commission. Any municipality may, by ordinance, establish a schedule
584 of reasonable fees for the processing of applications by a municipal
585 [zoning commission, planning commission, combined planning and
586 zoning commission, zoning board of appeals or inland wetlands
587 commission] agency. Such schedule shall supersede any specific fees set
588 forth in the general statutes, or any special act or established by a
589 planning commission under section 8-26.

590 (b) A municipality may, by regulation, require any person applying
591 to a municipal agency for approval of a development project to pay the
592 cost of reasonable consulting fees for peer review of particular technical
593 aspects of an application for the benefit of the reviewing municipal
594 agency. Any such fees shall be accounted for separately from other
595 funds of the municipal agency and shall be used only for expenses
596 associated with the technical review by consultants who are not salaried
597 employees of the municipality or the reviewing municipal agency. Any
598 amount of the fee remaining after payment of all expenses for technical
599 review, including any interest accrued, shall be returned to the applicant
600 not later than forty-five days after the completion of the technical
601 review.

602 (c) No fee described in subsection (b) of this section shall exceed two
603 hundred fifty dollars per dwelling unit in the aggregate for all municipal
604 approvals for any single development project.

605 (d) No municipality may adopt a schedule of fees under subsection
606 (a) of this section that results in higher fees being charged for (1)
607 development projects built using the provisions of section 8-30g, as
608 amended by this act, or (2) residential buildings containing four or more
609 dwelling units than for other residential dwellings, including, but not
610 limited to, higher fees per dwelling unit, per square footage or per unit
611 of construction cost.

612 Sec. 9. Subsection (j) of section 8-1bb of the general statutes is repealed

613 and the following is substituted in lieu thereof (*Effective October 1, 2021*):

614 (j) A municipality, by vote of its legislative body or, in a municipality
615 where the legislative body is a town meeting, by vote of the board of
616 selectmen, may opt out of the provisions of this section and the
617 ~~[provision]~~ provisions of subdivision (6) of subsection [(a)] (d) of section
618 8-2, as amended by this act, regarding authorization for the installation
619 of temporary health care structures, provided the zoning commission or
620 combined planning and zoning commission of the municipality: (1) First
621 holds a public hearing in accordance with the provisions of section 8-7d
622 on such proposed opt-out, (2) affirmatively decides to opt out of the
623 provisions of said sections within the period of time permitted under
624 section 8-7d, (3) states upon its records the reasons for such decision,
625 and (4) publishes notice of such decision in a newspaper having a
626 substantial circulation in the municipality not later than fifteen days
627 after such decision has been rendered.

628 Sec. 10. Subdivision (4) of subsection (a) of section 8-30g of the general
629 statutes is repealed and the following is substituted in lieu thereof
630 (*Effective October 1, 2021*):

631 (4) "Commission" means a zoning commission, planning
632 commission, planning and zoning commission, zoning board of
633 appeals, water pollution control authority, flood control authority,
634 sewer authority, traffic authority or municipal agency exercising
635 zoning, [or planning authority] planning, water, flood, sewer or traffic
636 authority but does not include an inland wetlands agency established
637 pursuant to section 22a-42;

638 Sec. 11. Subsection (c) of section 8-30g of the general statutes is
639 repealed and the following is substituted in lieu thereof (*Effective October*
640 *1, 2021*):

641 (c) Any commission, by regulation, may require that an affordable
642 housing application seeking a change of zone include the submission of
643 a conceptual site plan describing the proposed development's total

644 number of residential units and their arrangement on the property and
645 the proposed development's roads and traffic circulation, sewage
646 disposal and water supply. No commission may require that an
647 affordable housing application include fire safety or fire response
648 analyses beyond confirming that the proposed affordable housing
649 development meets the requirements of the Fire Safety Code.

650 Sec. 12. Subsection (g) of section 8-30g of the general statutes is
651 repealed and the following is substituted in lieu thereof (*Effective October*
652 *1, 2021*):

653 (g) Upon an appeal taken under subsection (f) of this section, the
654 burden shall be on the commission to prove, based upon the evidence
655 in the record compiled before such commission, that the decision from
656 which such appeal is taken and the reasons cited for such decision are
657 supported by sufficient evidence in the record. The commission shall
658 also have the burden to prove, based upon the evidence in the record
659 compiled before such commission, that (1) (A) the decision is necessary
660 to protect substantial public interests in health, safety or other matters
661 which the commission may legally consider; (B) such public interests
662 clearly outweigh the need for affordable housing; and (C) such public
663 interests cannot be protected by reasonable changes to the affordable
664 housing development, or (2) (A) the application which was the subject
665 of the decision from which such appeal was taken would locate
666 affordable housing in an area which is zoned for industrial use and
667 which does not permit residential uses; and (B) the development is not
668 assisted housing. If the commission does not satisfy its burden of proof
669 under this subsection, the court shall wholly or partly revise, modify,
670 remand or reverse the decision from which the appeal was taken in a
671 manner consistent with the evidence in the record before it and may
672 award the person appealing the commission decision under this section
673 reasonable attorneys' fees and costs.

674 Sec. 13. Subsection (k) of section 8-30g of the general statutes is
675 repealed and the following is substituted in lieu thereof (*Effective October*

676 1, 2021):

677 (k) The affordable housing appeals procedure established under this
678 section shall not be available if the real property which is the subject of
679 the application is located in a municipality in which at least ten per cent
680 of all dwelling units in the municipality are (1) assisted housing, (2)
681 currently financed by Connecticut Housing Finance Authority
682 mortgages, (3) subject to binding recorded deeds containing covenants
683 or restrictions which require that such dwelling units be sold or rented
684 at, or below, prices which will preserve the units as housing for which
685 persons and families pay thirty per cent or less of income, where such
686 income is less than or equal to eighty per cent of the median income, (4)
687 mobile manufactured homes located in mobile manufactured home
688 parks or legally approved accessory apartments, which homes or
689 apartments are subject to binding recorded deeds containing covenants
690 or restrictions which require that such dwelling units be sold or rented
691 at, or below, prices which will preserve the units as housing for which,
692 for a period of not less than ten years, persons and families pay thirty
693 per cent or less of income, where such income is less than or equal to
694 eighty per cent of the median income, or (5) mobile manufactured
695 homes located in resident-owned mobile manufactured home parks.
696 The municipalities meeting the criteria set forth in this subsection shall
697 be listed in the report submitted under section 8-37qqq. As used in this
698 subsection, "accessory apartment" means a separate living unit that (A)
699 is [attached to the main living unit of a house, which house has the
700 external appearance of a single-family residence] located on the same
701 lot as a larger primary dwelling unit, (B) has a full kitchen, (C) has a
702 square footage that is not more than thirty per cent of the total square
703 footage of the [house, (D) has an internal doorway connecting to the
704 main living unit of the house, (E)] primary dwelling unit, (D) is not
705 billed separately from such [main living] primary dwelling unit for
706 utilities, and [(F)] (E) complies with the building code and health and
707 safety regulations, and "resident-owned mobile manufactured home
708 park" means a mobile manufactured home park consisting of mobile
709 manufactured homes located on land that is deed restricted, and, at the

710 time of issuance of a loan for the purchase of such land, such loan
711 required seventy-five per cent of the units to be leased to persons with
712 incomes equal to or less than eighty per cent of the median income, and
713 either (i) forty per cent of said seventy-five per cent to be leased to
714 persons with incomes equal to or less than sixty per cent of the median
715 income, or (ii) twenty per cent of said seventy-five per cent to be leased
716 to persons with incomes equal to or less than fifty per cent of the median
717 income.

718 Sec. 14. Subdivision (6) of subsection (l) of section 8-30g of the general
719 statutes is repealed and the following is substituted in lieu thereof
720 (*Effective October 1, 2021*):

721 (6) For the purposes of this subsection, housing unit-equivalent
722 points shall be determined by the commissioner as follows: (A) No
723 points shall be awarded for a unit unless its occupancy is restricted to
724 persons and families whose income is equal to or less than eighty per
725 cent of the median income, except that unrestricted units in a set-aside
726 development shall be awarded one-fourth point each. (B) Family units
727 restricted to persons and families whose income is equal to or less than
728 eighty per cent of the median income shall be awarded one point if an
729 ownership unit and one and one-half points if a rental unit. (C) Family
730 units restricted to persons and families whose income is equal to or less
731 than sixty per cent of the median income shall be awarded one and one-
732 half points if an ownership unit and two points if a rental unit. (D)
733 Family units restricted to persons and families whose income is equal to
734 or less than forty per cent of the median income shall be awarded two
735 points if an ownership unit and two and one-half points if a rental unit.
736 (E) Restricted family units containing at least three bedrooms shall be
737 awarded an additional one-fourth point. (F) Elderly units restricted to
738 persons and families whose income is equal to or less than eighty per
739 cent of the median income shall be awarded one-half point. (G) If at least
740 sixty per cent of the total restricted units submitted by a municipality as
741 part of an application for a certificate of affordable housing project
742 completion are family units, any elderly units submitted within such

743 application shall be awarded an additional one-half point. (H)
744 Restricted family units located within an approved incentive housing
745 development, as defined in section 8-13m, shall be awarded an
746 additional one-fourth point. (I) A set-aside development containing
747 family units which are rental units shall be awarded additional points
748 equal to twenty-two per cent of the total points awarded to such
749 development, provided the application for such development was filed
750 with the commission prior to July 6, 1995. (J) A mobile manufactured
751 home in a resident-owned mobile manufactured home park shall be
752 awarded points as follows: One and one-half points when occupied by
753 persons and families with an income equal to or less than eighty per cent
754 of the median income; two points when occupied by persons and
755 families with an income equal to or less than sixty per cent of the median
756 income; and one-fourth point for the remaining units. (K) An affordable
757 housing development approved by a municipality without the
758 applicant using the affordable housing appeals procedure established
759 under this section or any other judicial appeal shall be awarded
760 additional points equal to twenty per cent of the total points awarded to
761 such development under this subsection.

762 Sec. 15. Subdivision (6) of subsection (l) of section 8-30g of the general
763 statutes, as amended by section 4 of public act 17-170, is repealed and
764 the following is substituted in lieu thereof (*Effective October 1, 2022*):

765 (6) For the purposes of this subsection, housing unit-equivalent
766 points shall be determined by the commissioner as follows: (A) No
767 points shall be awarded for a unit unless its occupancy is restricted to
768 persons and families whose income is equal to or less than eighty per
769 cent of the median income, except that unrestricted units in a set-aside
770 development shall be awarded one-fourth point each. (B) Family units
771 restricted to persons and families whose income is equal to or less than
772 eighty per cent of the median income shall be awarded one point if an
773 ownership unit and one and one-half points if a rental unit. (C) Family
774 units restricted to persons and families whose income is equal to or less
775 than sixty per cent of the median income shall be awarded one and one-

776 half points if an ownership unit and two points if a rental unit. (D)
777 Family units restricted to persons and families whose income is equal to
778 or less than forty per cent of the median income shall be awarded two
779 points if an ownership unit and two and one-half points if a rental unit.
780 (E) Restricted family units containing at least three bedrooms shall be
781 awarded an additional one-fourth point. (F) Elderly units restricted to
782 persons and families whose income is equal to or less than eighty per
783 cent of the median income shall be awarded one-half point. (G) If at least
784 sixty per cent of the total restricted units submitted by a municipality as
785 part of an application for a certificate of affordable housing project
786 completion are family units, any elderly units submitted within such
787 application shall be awarded an additional one-half point. (H)
788 Restricted family units located within an approved incentive housing
789 development, as defined in section 8-13m, shall be awarded an
790 additional one-fourth point. (I) A set-aside development containing
791 family units which are rental units shall be awarded additional points
792 equal to twenty-two per cent of the total points awarded to such
793 development, provided the application for such development was filed
794 with the commission prior to July 6, 1995. (J) A mobile manufactured
795 home in a resident-owned mobile manufactured home park shall be
796 awarded points as follows: One and one-half points when occupied by
797 persons and families with an income equal to or less than eighty per cent
798 of the median income; two points when occupied by persons and
799 families with an income equal to or less than sixty per cent of the median
800 income; and one-fourth point for the remaining units. (K) An affordable
801 housing development approved by a municipality without the
802 applicant using the affordable housing appeals procedure established
803 under this section or any other judicial appeal shall be awarded
804 additional points equal to twenty per cent of the total points awarded to
805 such development under this subsection.

806 Sec. 16. (NEW) (*Effective October 1, 2021*) Not later than December 1,
807 2021, the Commissioner of Transportation shall prepare, develop and
808 adopt criteria for determining the significance of transportation impacts
809 on various construction projects. Such criteria shall promote the

810 reduction of greenhouse gas emissions, the establishment of multimodal
811 transportation networks and a diversity of land uses. In developing
812 such criteria, the commissioner shall recommend potential means by
813 which to measure such transportation impacts, including, but not
814 limited to, actual vehicle miles traveled, vehicle miles traveled per
815 capita, vehicle trip generation rates and automobile trips generated. The
816 commissioner may also prescribe criteria for models used to analyze
817 such transportation impacts to ensure such models are accurate and
818 reliable and further the purposes of this section.

819 Sec. 17. (*Effective from passage*) (a) Not later than November 15, 2021,
820 the Secretary of the Office of Policy and Management, or the secretary's
821 designee, shall convene and chair a working group to develop model
822 zoning guidelines for municipalities to adopt regarding commercial
823 main streets, town centers and areas near fixed nodes of public transit.
824 Such guidelines shall (1) identify common architectural and site design
825 features of building types used throughout this state, (2) create a
826 catalogue of building types, particularly those typically associated with
827 housing, (3) establish design review standards for approval of certain
828 building types, accounting for topography, geology and infrastructure
829 capacity, and (4) establish procedures for expediting the approval of
830 buildings that satisfy such design review standards.

831 (b) The working group shall consist of the following members, who
832 shall be appointed by the Secretary of the Office of Policy and
833 Management, in consultation with the Commissioner of Housing, not
834 later than sixty days after the effective date of this section:

835 (1) The Secretary of the Office of Policy and Management, or the
836 secretary's designee;

837 (2) The Commissioner of Housing, or the commissioner's designee;

838 (3) Two representatives with expertise in fair housing issues or
839 affordable housing advocacy;

- 840 (4) Two representatives with expertise in state or local planning;
841 (5) Two representatives with expertise in architecture or design;
842 (6) One representative of a municipal advocacy organization; and
843 (7) One representative with expertise in the housing construction
844 trade.

845 (c) Not later than March 1, 2022, the working group convened
846 pursuant to this section shall submit a report proposing the model
847 zoning guidelines it developed to the joint standing committee of the
848 General Assembly having cognizance of matters relating to planning
849 and development, in accordance with section 11-4a of the general
850 statutes. Not later than July 1, 2022, the Secretary of the Office of Policy
851 and Management shall post such model zoning guidelines with any
852 necessary revisions on its Internet web site for use and adoption by
853 municipalities of this state.

854 Sec. 18. Section 8-39 of the general statutes is repealed and the
855 following is substituted in lieu thereof (*Effective October 1, 2021*):

856 The following terms, wherever used or referred to in this chapter,
857 [shall] have the following respective meanings, unless a different
858 meaning clearly appears from the context:

859 [(a)] (1) "Area of operation" [includes the municipality in which a
860 housing authority is created under the provisions of this chapter and
861 may include a neighboring municipality, provided the governing body
862 of such neighboring municipality agrees by proper resolution to the
863 extension of the area of operation to include such neighboring
864 municipality] means a municipal area of operation and, if adopted by a
865 housing authority, includes an expanded area of operation.

866 [(b)] (2) "Authority" or "housing authority" means any of the public
867 corporations created by section 8-40, as amended by this act, and the
868 Connecticut Housing Authority when exercising the rights, powers,

869 duties or privileges of, or subject to the immunities or limitations of,
870 housing authorities pursuant to section 8-121.

871 [(c)] (3) "Bonds" means any bonds, including refunding bonds, notes,
872 interim certificates, debentures or other obligations issued by the
873 authority pursuant to this chapter.

874 [(d)] (4) "Clerk" means the clerk of the particular city, borough or
875 town for which a particular housing authority is created.

876 (5) "Eligible developer" or "developer" means (A) a nonprofit
877 corporation; (B) any business corporation incorporated pursuant to
878 chapter 601 or any predecessor statutes thereto, having as one of its
879 purposes the construction, rehabilitation, ownership or operation of
880 housing, and having articles of incorporation approved by the
881 Commissioner of Housing in accordance with regulations adopted
882 pursuant to section 8-79a or 8-84; (C) any partnership, limited
883 partnership, joint venture, trust, limited liability company or association
884 having as one of its purposes the construction, rehabilitation, ownership
885 or operation of housing, and having basic documents of organization
886 approved by the commissioner in accordance with regulations adopted
887 pursuant to section 8-79a or 8-84; (D) a housing authority; (E) a family
888 or person approved by the commissioner as qualified to own, construct,
889 rehabilitate, manage and maintain housing under a mortgage loan made
890 or insured under an agreement entered into pursuant to the provisions
891 of this chapter; or (F) a municipal developer.

892 (6) "Expanded area of operation" means an area (A) adopted by a
893 housing authority; and (B) designated by the Department of Housing
894 pursuant to section 8-348 as a high or very high opportunity census
895 tract, provided any part of such census tract is located within fifteen
896 miles of the municipality in which the housing authority is located.

897 [(e)] (7) "Families of low income" means families who lack the amount
898 of income which is necessary, as determined by the authority
899 undertaking the housing project, to enable them, without financial

900 assistance, to live in decent, safe and sanitary dwellings, without
901 overcrowding.

902 [(f)] (8) "Families of low and moderate income" means families who
903 lack the amount of income which is necessary, as determined by the
904 Commissioner of Housing, to enable them to rent or purchase moderate
905 cost housing without financial assistance as provided by this part and
906 parts II and III of this chapter.

907 (9) "Family" means a household consisting of one or more persons.

908 [(g)] (10) "Federal government" includes the United States of
909 America, the federal emergency administration of public works or any
910 other agency or instrumentality, corporate or otherwise, of the United
911 States of America.

912 [(h)] (11) "Governing body" means, for towns having a town council,
913 the council; for other towns, the selectmen; for cities, the common
914 council or other similar body of officials; and for boroughs, the warden
915 and burgesses.

916 [(i)] (12) "Housing project" means any work or undertaking [(1)] (A)
917 to demolish, clear or remove buildings from any slum area, which work
918 or undertaking may embrace the adaptation of such area to public
919 purposes, including parks or other recreational or community purposes;
920 [or (2)] (B) to provide decent, safe and sanitary urban or rural dwellings,
921 apartments or other living accommodations for families of low or
922 moderate income, which work or undertaking may include buildings,
923 land, equipment, facilities and other real or personal property for
924 necessary, convenient or desirable appurtenances, streets, sewers, water
925 service, parks, site preparation, gardening, administrative, community,
926 recreational, commercial or welfare purposes and may include the
927 acquisition and rehabilitation of existing dwelling units or structures to
928 be used for moderate or low rental units; or [(3)] (C) to accomplish a
929 combination of the [foregoing] purposes listed in subparagraphs (A)
930 and (B) of this subdivision. The term "housing project" also may [be

931 applied to] include the planning of the buildings and improvements, the
932 acquisition of property, the demolition of existing structures, the
933 construction, reconstruction, alteration and repair of the improvements
934 and all other work in connection therewith and may include the
935 reconstruction, rehabilitation, alteration, or major repair of existing
936 buildings or improvements which were undertaken pursuant to parts II
937 and VI of this chapter.

938 [(j)] (13) "Mayor" means, for cities, the mayor and, for boroughs, the
939 warden.

940 [(k)] (14) "Moderate rental" means a rental which, as determined by
941 an authority with the concurrence of the Commissioner of Housing, is
942 below the level at which private enterprise is currently building a
943 needed volume of safe and sanitary dwellings for rental in the locality
944 involved; and "moderate rental housing project" means a housing
945 project, receiving state aid in the form of loans or grants, for families
946 unable to pay more than moderate rental. Such project may include the
947 reconstruction, rehabilitation, alteration, or major repair of existing
948 buildings or improvements which were undertaken pursuant to parts II
949 or VI of this chapter.

950 (15) "Mortgage" means a mortgage deed, deed of trust or other
951 instrument which constitutes a lien, whether a first or second, on real
952 estate or on a leasehold under a lease having a remaining term, at the
953 time such mortgage is acquired, which does not expire for at least that
954 number of years beyond the maturity date of the obligation secured by
955 such mortgage as is equal to the number of years remaining until the
956 maturity date of such obligation.

957 (16) "Municipal area of operation" includes the municipality in which
958 a housing authority is created under the provisions of this chapter and
959 may include a neighboring municipality, as provided in section 8-40, as
960 amended by this act.

961 (17) "Municipal developer" means a municipality which has not

962 declared by resolution a need for a housing authority pursuant to
963 section 8-40, as amended by this act, acting by and through its legislative
964 body, except, that in any town in which a town meeting or
965 representative town meeting is the legislative body, "municipal
966 developer" means the board of selectmen if such board is authorized to
967 act as the municipal developer by the town meeting or representative
968 town meeting.

969 [(l)] (18) "Municipality" means any city, borough or town. "The
970 municipality" means the particular municipality for which a particular
971 housing authority is created.

972 (19) "Nonprofit corporation" means a nonprofit corporation
973 incorporated pursuant to chapter 602 or any predecessor statutes
974 thereto, having as one of its purposes the construction, rehabilitation,
975 ownership or operation of housing and having articles of incorporation
976 approved by the Commissioner of Housing in accordance with
977 regulations adopted pursuant to section 8-79a or 8-84.

978 [(m)] (20) "Obligee of the authority" or "obligee" includes any
979 bondholder, trustee or trustees for any bondholders, or lessor demising
980 to the authority property used in connection with a housing project, or
981 any assignee or assignees of such lessor's interest or any part thereof,
982 and the state or federal government when it is a party to any contract
983 with the authority.

984 [(n)] (21) "Real property" includes all lands, including improvements
985 and fixtures thereon, and property of any nature appurtenant thereto,
986 or used in connection therewith, and every estate, interest and right,
987 legal or equitable, therein, including terms for years and liens by way of
988 judgment, mortgage or otherwise and the indebtedness secured by such
989 liens.

990 [(o)] (22) "Rent" means the entire amount paid to an authority for any
991 dwelling unit.

992 [(p)] (23) "Shelter rent" means rent less any charges made by an
993 authority for water, heat, gas and electricity.

994 [(q)] (24) "Slum" means any area where dwellings predominate
995 which, by reason of dilapidation, overcrowding, faulty arrangement or
996 design, lack of ventilation, light or sanitary facilities, or any combination
997 of these factors, are detrimental to safety, health and morals.

998 [(r)] (25) "State public body" means any city, borough, town,
999 municipal corporation, district or other subdivision of the state.

1000 [(s)] (26) "Veteran" has the meaning [assigned by] provided in section
1001 27-103 and includes any officer of the United States Public Health
1002 Service detailed by proper authority to duty with any of the armed
1003 forces and the spouse or widow or widower of such veteran, provided
1004 such veteran shall have served for a period of ninety days or more in
1005 time of war after December 7, 1941, and shall have resided in this state
1006 at any time continuously for two years.

1007 [(t) "Family" means a household consisting of one or more persons.

1008 (u) "Eligible developer" or "developer" means (1) a nonprofit
1009 corporation; (2) any business corporation incorporated pursuant to
1010 chapter 601 or any predecessor statutes thereto, having as one of its
1011 purposes the construction, rehabilitation, ownership or operation of
1012 housing, and having articles of incorporation approved by the
1013 commissioner in accordance with regulations adopted pursuant to
1014 section 8-79a or 8-84; (3) any partnership, limited partnership, joint
1015 venture, trust, limited liability company or association having as one of
1016 its purposes the construction, rehabilitation, ownership or operation of
1017 housing, and having basic documents of organization approved by the
1018 commissioner in accordance with regulations adopted pursuant to
1019 section 8-79a or 8-84; (4) a housing authority; (5) a family or person
1020 approved by the commissioner as qualified to own, construct,
1021 rehabilitate, manage and maintain housing under a mortgage loan made
1022 or insured under an agreement entered into pursuant to the provisions

1023 of this chapter; or (6) a municipal developer.

1024 (v) "Mortgage" means a mortgage deed, deed of trust, or other
1025 instrument which shall constitute a lien, whether first or second, on real
1026 estate or on a leasehold under a lease having a remaining term, at the
1027 time such mortgage is acquired, which does not expire for at least that
1028 number of years beyond the maturity date of the obligation secured by
1029 such mortgage as is equal to the number of years remaining until the
1030 maturity date of such obligation.

1031 (w) "Nonprofit corporation" means a nonprofit corporation
1032 incorporated pursuant to chapter 602 or any predecessor statutes
1033 thereto, having as one of its purposes the construction, rehabilitation,
1034 ownership or operation of housing and having articles of incorporation
1035 approved by the Commissioner of Housing in accordance with
1036 regulations adopted pursuant to section 8-79a or 8-84.

1037 (x) "Municipal developer" means a municipality, as defined in
1038 subsection (l) of this section, which has not declared by resolution a need
1039 for a housing authority pursuant to section 8-40, acting by and through
1040 its legislative body, except that in any town in which a town meeting or
1041 representative town meeting is the legislative body, "municipal
1042 developer" means the board of selectmen if such board is authorized to
1043 act as the municipal developer by the town meeting or representative
1044 town meeting.]

1045 Sec. 19. Section 8-40 of the general statutes is repealed and the
1046 following is substituted in lieu thereof (*Effective October 1, 2021*):

1047 (a) In each municipality of the state there is created a public body
1048 corporate and politic to be known as the "housing authority" of the
1049 municipality; provided such authority shall not transact any business or
1050 exercise its powers [hereunder] under this section until the governing
1051 body of the municipality by resolution declares that there is need for a
1052 housing authority in the municipality, provided it shall find that (1)
1053 [that] insanitary or unsafe inhabited dwelling accommodations exist in

1054 the municipality, [or] (2) [that] there is a shortage of safe or sanitary
1055 dwelling accommodations in the municipality available to families of
1056 low income at rentals they can afford, or (3) [that] there is a shortage of
1057 safe or sanitary dwelling accommodations in the municipality available
1058 to families of moderate income at rentals they can afford. In determining
1059 whether dwelling accommodations are unsafe or insanitary, [said] such
1060 governing body may take into consideration the degree of
1061 overcrowding, the percentage of land coverage, the light, air, space and
1062 access available to the inhabitants of such dwelling accommodations,
1063 the size and arrangement of the rooms, the sanitary facilities and the
1064 extent to which conditions exist in such buildings which endanger life
1065 or property by fire or other causes.

1066 (b) The governing bodies of two or more municipalities may create a
1067 regional housing authority, which shall have all the powers, duties and
1068 responsibilities conferred upon housing authorities by this chapter and
1069 chapter 130. The area of operation of such authority shall include the
1070 municipalities for which such authority is created, provided, in the case
1071 of a municipal area of operation that includes a neighboring
1072 municipality, the neighboring municipality agrees by proper resolution
1073 to the expansion of the area of operation to include such neighboring
1074 municipality. Such authority shall act through a board of commissioners
1075 composed of two representatives from each municipality appointed for
1076 terms of four years in the manner provided in section 8-41.

1077 (c) Any housing authority may adopt an expanded area of operation.

1078 Sec. 20. Section 8-44b of the general statutes is repealed and the
1079 following is substituted in lieu thereof (*Effective October 1, 2021*):

1080 (a) Any housing authority created by section 8-40, as amended by this
1081 act, shall have the power to establish and maintain a housing authority
1082 police force, [the] except that no housing authority shall have the power
1083 to establish or maintain a housing authority police force in an expanded
1084 area of operation. The members of [which] any such police force shall
1085 be employees of such housing authority and shall be known as housing

1086 authority police officers. Housing authority police officers shall be
1087 appointed by the local board, agency or person empowered to appoint
1088 municipal police officers, subject to approval of the housing authority.
1089 The requirements for appointment as a police officer in the municipality
1090 in which the housing authority is located, except for age and physical
1091 qualifications, shall be mandatory for housing authority police officers
1092 in such municipality. No person shall be appointed to such housing
1093 authority police force unless [he] such person has been awarded a
1094 certificate attesting to [his] such person's successful completion of an
1095 approved municipal police basic training program, as provided in
1096 section 7-294e. The initial appointment shall be for a probationary term
1097 upon completion of which the appointing authority may promote such
1098 probationary officers to permanent status; provided such promotion
1099 shall be in accordance with procedures applicable to municipal police
1100 officers in the municipality and shall be made subject to the approval of
1101 the housing authority. Housing authority police officers shall have and
1102 exercise the powers and authority conferred upon municipal police
1103 officers and shall be subject to the ultimate supervision and control of
1104 the chief of police of the municipality in which the housing authority
1105 operates.

1106 (b) Notwithstanding the provisions of subsection (a) of this section,
1107 any housing authority police force which existed prior to October 1,
1108 1970, pursuant to Title 1 of Public Law 89-754, 80 Stat. 1255, the
1109 Demonstration Cities and Metropolitan Development Act of 1966, and
1110 which, for any reason, does not constitute a housing authority police
1111 force pursuant to subsection (a) of this section, shall constitute a housing
1112 authority police force pursuant to this subsection and the members of
1113 any such police [forces] force may exercise the powers granted to such
1114 members pursuant to this subsection. The members of such police force
1115 may act, at the expense of the municipality, as special police officers
1116 upon property owned or managed by any housing authority. Such
1117 special police officers: (1) May arrest, without previous complaint and
1118 warrant, any person for any offense in their jurisdiction, when such
1119 person is taken or apprehended in the act or on the speedy information

1120 of others; (2) when in the immediate pursuit of one who may be arrested
1121 under the provisions of this subsection, may pursue such offender
1122 outside of their jurisdiction into any part of the municipality to effect an
1123 arrest; (3) shall be peace officers as defined in subdivision (9) of section
1124 53a-3; (4) shall have the authority to serve criminal process within their
1125 jurisdiction; (5) shall, when on duty, wear a uniform, distinct in color
1126 from that worn by the police officers of the municipality; (6) shall, when
1127 on duty, wear in plain view a shield, distinct in shape from that worn
1128 by the police officers of the municipality which shall bear the words
1129 "special police"; (7) shall complete a forty-hour basic training program
1130 provided by the municipality within one hundred eighty days of June
1131 27, 1983; and (8) shall take an oath of office.

1132 Sec. 21. Section 8-50 of the general statutes is repealed and the
1133 following is substituted in lieu thereof (*Effective October 1, 2021*):

1134 An authority shall have the right to acquire by the exercise of the
1135 power of eminent domain any real property that is not located in an
1136 expanded area of operation which it deems necessary for its purposes
1137 under this chapter after the adoption by [it] such authority of a
1138 resolution declaring that the acquisition of such real property described
1139 [therein] in such resolution is necessary for such purposes. An authority,
1140 in its own name and at its own expense and cost, may prefer a petition
1141 and exercise the power of eminent domain in the manner provided in
1142 section 48-12 and acts supplementary thereto, except that a housing
1143 authority's power of eminent domain shall not extend to an expanded
1144 area of operation. Property already devoted to a public use may be
1145 acquired, provided no real property belonging to the municipality, the
1146 state or any political subdivision thereof may be acquired without its
1147 consent.

1148 Sec. 22. Section 8-45a of the general statutes is repealed and the
1149 following is substituted in lieu thereof (*Effective October 1, 2021*):

1150 A housing authority, as defined in [subsection (b) of] section 8-39, as
1151 amended by this act, in determining eligibility for the rental of public

1152 housing units may establish criteria and consider relevant information
1153 concerning (1) an applicant's or any proposed occupant's history of
1154 criminal activity involving: (A) Crimes of physical violence to persons
1155 or property, (B) crimes involving the illegal manufacture, sale,
1156 distribution or use of, or possession with intent to manufacture, sell, use
1157 or distribute, a controlled substance, as defined in section 21a-240, or (C)
1158 other criminal acts which would adversely affect the health, safety or
1159 welfare of other tenants, (2) an applicant's or any proposed occupant's
1160 abuse, or pattern of abuse, of alcohol when the housing authority has
1161 reasonable cause to believe that such applicant's or proposed occupant's
1162 abuse, or pattern of abuse, of alcohol may interfere with the health,
1163 safety or right to peaceful enjoyment of the premises by other residents,
1164 and (3) an applicant or any proposed occupant who is subject to a
1165 lifetime registration requirement under section 54-252 on account of
1166 being convicted or found not guilty by reason of mental disease or defect
1167 of a sexually violent offense. In evaluating any such information, the
1168 housing authority shall give consideration to the time, nature and extent
1169 of the applicant's or proposed occupant's conduct and to factors which
1170 might indicate a reasonable probability of favorable future conduct such
1171 as evidence of rehabilitation and evidence of the willingness of the
1172 applicant, the applicant's family or the proposed occupant to participate
1173 in social service or other appropriate counseling programs and the
1174 availability of such programs.

1175 Sec. 23. Subdivision (29) of section 12-412 of the general statutes is
1176 repealed and the following is substituted in lieu thereof (*Effective October*
1177 *1, 2021*):

1178 (29) (A) Sales of and the storage, use or other consumption of tangible
1179 personal property acquired for incorporation into or used and
1180 consumed in the operation of housing facilities for low and moderate
1181 income families and persons and sales of and the acceptance, use or
1182 other consumption of any service described in subdivision (2) of section
1183 12-407 that is used and consumed in the development, construction,
1184 rehabilitation, renovation, repair or operation of housing facilities for

1185 low and moderate income families and persons, provided such facilities
1186 are constructed under the sponsorship of and owned or operated by
1187 nonprofit housing organizations or housing authorities, as defined in
1188 [subsection (b)] subdivision (2) of section 8-39, as amended by this act.
1189 The nonprofit housing organization or housing authority sponsoring
1190 the construction of or owning or operating such housing facility shall
1191 obtain from the commissioner a letter of determination that the housing
1192 facility has, to the satisfaction of said commissioner, met all the
1193 requirements for exemption under this subsection. At the time of any
1194 sale or purchase that is exempt under this subsection, the purchaser
1195 shall present to the retailer a copy of the determination letter that was
1196 issued to the nonprofit housing organization or housing authority
1197 together with a certificate from the purchaser, in such form as the
1198 commissioner may prescribe, certifying that the tangible personal
1199 property or services that are being purchased from the retailer are to be
1200 used or consumed exclusively for the purposes of incorporation into or
1201 in the development, construction, rehabilitation, renovation, repair or
1202 operation of the housing facility identified in the letter of determination.
1203 For the purposes of this subsection, (i) "nonprofit housing organization"
1204 means any organization which has as one of its purposes the
1205 development, construction, sponsorship or ownership of housing for
1206 low and moderate income families as stated in its charter, if it is
1207 incorporated, or its constitution or bylaws, if it is unincorporated, and
1208 which has received exemption from federal income tax under the
1209 provisions of Section 501(c) of the Internal Revenue Code, as amended
1210 from time to time, provided the charter of such organization, if it is
1211 incorporated, or its constitution or bylaws, if unincorporated, shall
1212 contain a provision that no officer, member or employee thereof shall
1213 receive or at any future time may receive any pecuniary profit from the
1214 operation thereof, except a reasonable compensation for services in
1215 effecting the purposes of the organization; (ii) "housing facilities" means
1216 facilities having as their primary purpose the provision of safe and
1217 adequate housing and related facilities for low and moderate income
1218 families and persons, notwithstanding that said housing provides other

1219 dwelling accommodations in addition to the primary purpose of
1220 providing dwelling accommodations for low and moderate income
1221 families; (iii) "related facilities" means those facilities defined in
1222 subsection (d) of section 8-243; and (iv) "low and moderate income
1223 families" means those families as defined in subsection (h) of said
1224 section 8-243.

1225 (B) Sales of and the acceptance, use or other consumption of any
1226 service described in subdivision (2) of section 12-407 that is used or
1227 consumed in the development, construction, renovation or operation of
1228 housing facilities for low and moderate income families and persons,
1229 provided such facilities are owned or sponsored by a mutual housing
1230 association, as defined in subsection (b) of section 8-214f, and operated
1231 as mutual housing by such association at a location that was conveyed
1232 to such association by the United States Secretary of Housing and Urban
1233 Development prior to September 1, 1995.

1234 Sec. 24. Section 8-389 of the general statutes is repealed and the
1235 following is substituted in lieu thereof (*Effective October 1, 2021*):

1236 Upon the incorporation of a successfully negotiated regional fair
1237 housing compact into a regional plan of conservation and development
1238 by a regional planning agency pursuant to section 8-386, the
1239 Commissioner of Housing and the Connecticut Housing Authority may
1240 give priority to any application for financial or technical assistance made
1241 by a municipality, housing authority or eligible developer, as defined in
1242 [subsection (u) of] section 8-39, as amended by this act, in connection
1243 with any project located in a municipality which has approved the
1244 regional fair housing compact pursuant to section 8-386.

1245 Sec. 25. Subsection (i) of section 12-631 of the general statutes is
1246 repealed and the following is substituted in lieu thereof (*Effective October*
1247 *1, 2021*):

1248 (i) "Families of low and moderate income" means families meeting
1249 the criteria for designation as families of low and moderate income

1250 established by the Commissioner of Housing pursuant to [subsection
1251 (f)] subdivision (8) of section 8-39, as amended by this act.

1252 Sec. 26. Section 8-113a of the general statutes is repealed and the
1253 following is substituted in lieu thereof (*Effective October 1, 2021*):

1254 The following terms, wherever used or referred to in this part, [shall]
1255 have the following respective meanings, unless a different meaning
1256 clearly appears from the context:

1257 [(a)] (1) "Authority" or "housing authority" means any of the public
1258 corporations created by section 8-40, as amended by this act.

1259 [(b)] "Municipality" means any city, borough or town. "The
1260 municipality" means the particular municipality for which a particular
1261 housing authority is created.

1262 (c) "Governing body" means, for towns having a town council, the
1263 council; for other towns, the selectmen; for cities, the common council
1264 or other similar body of officials; and for boroughs, the warden and
1265 burgesses.

1266 (d) "Mayor" means, for cities, the mayor, and, for boroughs, the
1267 warden. "Clerk" means the clerk of the particular city, borough or town
1268 for which a particular housing authority is created.

1269 (e) "Area of operation" [shall include] includes the municipality in
1270 which a housing authority is created under the provisions of this
1271 chapter, and may include a neighboring municipality, provided the
1272 governing body of such neighboring municipality shall agree by proper
1273 resolution to the extension of the area of operation to include such
1274 neighboring municipality.]

1275 (2) "Bonds" means any bonds, notes, interim certificates of
1276 indebtedness, debentures or other obligations issued by the authority
1277 pursuant to this chapter.

1278 (3) "Elderly persons" means persons sixty-two years of age and over
1279 who lack the amount of income which is necessary, as determined by
1280 the authority or nonprofit corporation, and subject to approval by the
1281 Commissioner of Housing, to enable them to live in decent, safe and
1282 sanitary dwellings without financial assistance as provided under this
1283 part, or persons who have been certified by the Social Security Board as
1284 being totally disabled under the federal Social Security Act or certified
1285 by any other federal board or agency as being totally disabled.

1286 (4) "Housing partnership" means any partnership, limited
1287 partnership, joint venture, trust or association consisting of (A) a
1288 housing authority, a nonprofit corporation or both, and (B) (i) a business
1289 corporation incorporated pursuant to chapter 601 or any predecessor
1290 statutes thereto, having as one of its purposes the construction,
1291 rehabilitation, ownership or operation of housing, and having articles of
1292 incorporation approved by the commissioner in accordance with
1293 regulations adopted pursuant to section 8-79a or 8-84, (ii) a for-profit
1294 partnership, limited partnership, joint venture, trust, limited liability
1295 company or association having as one of its purposes the construction,
1296 rehabilitation, ownership or operation of housing, and having basic
1297 documents of organization approved by the commissioner in
1298 accordance with regulations adopted pursuant to section 8-79a or 8-84,
1299 or (iii) any combination of the entities included under subparagraphs
1300 (B)(i) and (B)(ii) of this subdivision.

1301 [[f]] (5) "Housing project" means any work or undertaking [(1)] (A) to
1302 demolish, clear or remove buildings from any slum area, which work or
1303 undertaking may embrace the adaptation of such area to public
1304 purposes, including parks or other recreational or community purposes;
1305 [(2)] (B) to provide decent, safe and sanitary urban or rural dwellings,
1306 apartments or other living accommodations for elderly persons, which
1307 work or undertaking may include buildings, land, equipment, facilities
1308 and other real or personal property for necessary, convenient or
1309 desirable appurtenances, streets, sewers, water service, parks, site
1310 preparation, gardening, administrative, community, recreational or

1311 welfare purposes; [(3)] (C) to provide a continuum of housing
1312 comprising independent living accommodations, residential care,
1313 intermediate housing facilities and skilled nursing care and facilities
1314 with ready access to medical and hospital services; or [(4)] (D) to
1315 accomplish a combination of [the foregoing] purposes specified in
1316 subparagraphs (A) to (C), inclusive, of this subdivision. The term
1317 "housing project" also may be applied to the planning of the buildings
1318 and improvements, the acquisition of property, the demolition of
1319 existing structures, the construction, reconstruction, alteration and
1320 repair of the improvements and all other work in connection therewith.

1321 [(g)] "Bonds" means any bonds, notes, interim certificates, certificates
1322 of indebtedness, debentures or other obligations issued by the authority
1323 pursuant to this chapter.

1324 (h) "Real property" shall include all lands, including improvements
1325 and fixtures thereon, and property of any nature appurtenant thereto,
1326 or used in connection therewith, and every estate, interest and right,
1327 legal or equitable, therein, including terms for years and liens by way of
1328 judgment, mortgage or otherwise and the indebtedness secured by such
1329 liens.

1330 (i) "Obligee of the authority" or "obligee" shall include any
1331 bondholder, trustee or trustees for any bondholders, or lessor demising
1332 to the authority property used in connection with a housing project, or
1333 any assignee or assignees of such lessor's interest or any part thereof,
1334 and the state government when it is a party to any contract with the
1335 authority.

1336 (j) "State public body" means any city, borough, town, municipal
1337 corporation, district or other subdivision of the state.]

1338 [(k)] (6) "Rent" means the entire amount paid to a local authority,
1339 nonprofit corporation or housing partnership for any dwelling unit.

1340 [(l)] (7) "Shelter rent" means "rent" as defined [herein] in this section,

1341 less any charges made by a local authority, nonprofit corporation or
1342 housing partnership for water, heat, gas, electricity and sewer use
1343 charges.

1344 [(m) "Elderly persons" means persons sixty-two years of age and over
1345 who lack the amount of income which is necessary, as determined by
1346 the authority or nonprofit corporation, subject to approval by the
1347 Commissioner of Housing, to enable them to live in decent, safe and
1348 sanitary dwellings without financial assistance as provided under this
1349 part, or persons who have been certified by the Social Security Board as
1350 being totally disabled under the federal Social Security Act or certified
1351 by any other federal board or agency as being totally disabled.

1352 (n) "Housing partnership" means any partnership, limited
1353 partnership, joint venture, trust or association consisting of (1) a housing
1354 authority, a nonprofit corporation or both and (2) (A) a business
1355 corporation incorporated pursuant to chapter 601 or any predecessor
1356 statutes thereto, having as one of its purposes the construction,
1357 rehabilitation, ownership or operation of housing, and having articles of
1358 incorporation approved by the commissioner in accordance with
1359 regulations adopted pursuant to section 8-79a or 8-84, (B) a for-profit
1360 partnership, limited partnership, joint venture, trust, limited liability
1361 company or association having as one of its purposes the construction,
1362 rehabilitation, ownership or operation of housing, and having basic
1363 documents of organization approved by the commissioner in
1364 accordance with regulations adopted pursuant to section 8-79a or 8-84
1365 or (C) any combination of the entities included under subparagraphs
1366 (A) and (B) of this subdivision.]

1367 Sec. 27. Subsection (a) of section 8-116c of the general statutes is
1368 repealed and the following is substituted in lieu thereof (*Effective October*
1369 *1, 2021*):

1370 (a) An elderly person [, as defined in subsection (m) of section 8-113a,]
1371 shall not be eligible to move into a housing project [, as defined in
1372 subsection (f) of section 8-113a,] if the person (1) is currently using illegal

1373 drugs, (2) is currently abusing alcohol and has a recent history of
1374 disruptive or dangerous behavior and whose tenancy (A) would
1375 constitute a direct threat to the health or safety of another individual or
1376 (B) would result in substantial physical damage to the property of
1377 another, (3) has a recent history of disruptive or dangerous behavior and
1378 whose tenancy (A) would constitute a direct threat to the health and
1379 safety of another individual or (B) would result in substantial physical
1380 damage to the property of another, or (4) was convicted of the illegal
1381 sale or possession of a controlled substance, as defined in section 21a-
1382 240, within the prior twenty-four-month period.

1383 Sec. 28. Section 8-116d of the general statutes is repealed and the
1384 following is substituted in lieu thereof (*Effective October 1, 2021*):

1385 Any elderly person [, as defined in subsection (m) of section 8-113a,]
1386 who applies for and is accepted for admission to a housing project
1387 pursuant to this part or part VII of this chapter or pursuant to any other
1388 state or federal housing assistance program may terminate the lease or
1389 rental agreement for the dwelling unit that he or she occupies at the time
1390 of such acceptance, without the penalty or liability for the remaining
1391 term of the lease or rental agreement, upon giving thirty days' written
1392 notice to the landlord of such dwelling unit.

1393 Sec. 29. Section 8-119h of the general statutes is repealed and the
1394 following is substituted in lieu thereof (*Effective October 1, 2021*):

1395 Upon preliminary approval by the State Bond Commission pursuant
1396 to the provisions of section 3-20, the state, acting by and through the
1397 Commissioner of Housing, may enter into a contract or contracts with
1398 an authority, a municipal developer, a nonprofit corporation or a
1399 housing partnership for state financial assistance for a congregate
1400 housing project, in the form of capital grants, interim loans, permanent
1401 loans, deferred loans or any combination thereof for application to the
1402 development cost of such project or projects. A contract with an
1403 authority, a municipal developer, a nonprofit corporation or a housing
1404 partnership may provide that in the case of any loan made in

1405 conjunction with any housing assistance funds provided by an agency
1406 of the United States government, if such housing assistance funds
1407 terminate prior to complete repayment of a loan made pursuant to this
1408 section, the remaining balance of such loan may be converted to a capital
1409 grant or decreased loan. Any such state assistance contract with an
1410 authority, a municipal developer, a nonprofit corporation or a housing
1411 partnership for a capital grant or loan entered into prior to the time
1412 housing assistance funds became available from an agency of the United
1413 States government, may, upon the mutual consent of the commissioner
1414 and the authority, municipal developer, nonprofit corporation or
1415 housing partnership, be renegotiated to provide for a loan or increased
1416 loan in the place of a capital grant or loan or a part thereof, consistent
1417 with the above conditions. Such capital grants or loans shall be in an
1418 amount not in excess of the development cost of the project or projects,
1419 including, in the case of grants or loans financed from the proceeds of
1420 the state's general obligation bonds issued pursuant to any
1421 authorization, allocation or approval of the State Bond Commission
1422 made prior to July 1, 1990, administrative or other cost or expense to be
1423 incurred by the state in connection therewith, as approved by said
1424 commissioner. In anticipation of final payment of such capital grants or
1425 loans, the state, acting by and through said commissioner and in
1426 accordance with such contract, may make temporary advances to the
1427 authority, municipal developer, nonprofit corporation or housing
1428 partnership for preliminary planning expense or other development
1429 cost of such project or projects. Any loan provided pursuant to this
1430 section shall bear interest at a rate to be determined in accordance with
1431 subsection (t) of section 3-20. Any such authority, municipal developer,
1432 nonprofit corporation or housing partnership may, subject to the
1433 approval of the Commissioner of Housing, contract with any other
1434 person approved by the Commissioner of Housing for the operation of
1435 a project undertaken pursuant to this part. As used in this section,
1436 "housing partnership" has the same meaning as provided in [subsection
1437 (n) of] section 8-113a, as amended by this act.

1438 Sec. 30. Section 8-119l of the general statutes is repealed and the

1439 following is substituted in lieu thereof (*Effective October 1, 2021*):

1440 The state, acting by and through the Commissioner of Housing, may
1441 enter into a contract or contracts with an authority, a municipal
1442 developer, a nonprofit corporation or a housing partnership for state
1443 financial assistance in the form of a grant-in-aid for an operating cost
1444 subsidy for state-financed congregate housing projects developed
1445 pursuant to this part. In calculating the amount of the grant-in-aid, the
1446 commissioner shall use adjusted gross income of tenants. As used in this
1447 section, "adjusted gross income" means annual aggregate income from
1448 all sources minus fifty per cent of all unreimbursable medical expenses.
1449 As used in this section, "housing partnership" has the same meaning as
1450 provided in [subsection (n) of] section 8-113a, as amended by this act.

1451 Sec. 31. Subdivision (1) of subsection (a) of section 22a-19 of the
1452 general statutes is repealed and the following is substituted in lieu
1453 thereof (*Effective October 1, 2021*):

1454 (a) (1) In any administrative, licensing or other proceeding, and in
1455 any judicial review thereof made available by law, the Attorney
1456 General, any political subdivision of the state, any instrumentality or
1457 agency of the state or of a political subdivision thereof, any person,
1458 partnership, corporation, association, organization or other legal entity
1459 may intervene as a party on the filing of a verified pleading asserting
1460 that the proceeding or action for judicial review involves conduct which
1461 has, or which is reasonably likely to have, the effect of unreasonably
1462 polluting, impairing or destroying the public trust in the air, water or
1463 other natural resources of the state. In the case of an administrative,
1464 licensing or other proceeding concerning an application for an
1465 affordable housing development, as defined in section 8-30g, as
1466 amended by this act, or judicial review thereof, the proposed intervenor
1467 shall allege and prove, and the reviewing authority shall make, findings
1468 of fact that demonstrate standing and aggrievement arising from the
1469 proposed affordable housing development, in order to obtain
1470 intervenor status under this section.

1471 Sec. 32. (NEW) (*Effective October 1, 2021*) Beginning January 1, 2022,
 1472 and annually thereafter, any member of a zoning, planning or planning
 1473 and zoning commission, zoning board of appeals or inland wetlands
 1474 agency who serves on such commission, board or agency for more than
 1475 six months in a calendar year shall complete not less than four hours of
 1476 training in Connecticut land use and planning law during such calendar
 1477 year. Not less than two hours of such training shall consist of topics
 1478 related to affordable and fair housing policies. The Office of Policy and
 1479 Management shall establish guidelines for such training. Not later than
 1480 February 1, 2023, and annually thereafter, each municipality in which
 1481 such commission, board or agency is located shall verify the compliance
 1482 by each member of such commission, board or agency with the
 1483 requirements of this section in a form and manner prescribed by the
 1484 Office of Policy and Management.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2021</i>	7-245
Sec. 2	<i>October 1, 2021</i>	7-246(b)
Sec. 3	<i>October 1, 2021</i>	19a-35a
Sec. 4	<i>October 1, 2021</i>	8-1aa
Sec. 5	<i>October 1, 2021</i>	8-2
Sec. 6	<i>October 1, 2021</i>	New section
Sec. 7	<i>October 1, 2021</i>	New section
Sec. 8	<i>October 1, 2021</i>	8-1c
Sec. 9	<i>October 1, 2021</i>	8-1bb(j)
Sec. 10	<i>October 1, 2021</i>	8-30g(a)(4)
Sec. 11	<i>October 1, 2021</i>	8-30g(c)
Sec. 12	<i>October 1, 2021</i>	8-30g(g)
Sec. 13	<i>October 1, 2021</i>	8-30g(k)
Sec. 14	<i>October 1, 2021</i>	8-30g(l)(6)
Sec. 15	<i>October 1, 2022</i>	8-30g(l)(6)
Sec. 16	<i>October 1, 2021</i>	New section
Sec. 17	<i>from passage</i>	New section
Sec. 18	<i>October 1, 2021</i>	8-39
Sec. 19	<i>October 1, 2021</i>	8-40
Sec. 20	<i>October 1, 2021</i>	8-44b

Sec. 21	<i>October 1, 2021</i>	8-50
Sec. 22	<i>October 1, 2021</i>	8-45a
Sec. 23	<i>October 1, 2021</i>	12-412(29)
Sec. 24	<i>October 1, 2021</i>	8-389
Sec. 25	<i>October 1, 2021</i>	12-631(i)
Sec. 26	<i>October 1, 2021</i>	8-113a
Sec. 27	<i>October 1, 2021</i>	8-116c(a)
Sec. 28	<i>October 1, 2021</i>	8-116d
Sec. 29	<i>October 1, 2021</i>	8-119h
Sec. 30	<i>October 1, 2021</i>	8-119l
Sec. 31	<i>October 1, 2021</i>	22a-19(a)(1)
Sec. 32	<i>October 1, 2021</i>	New section

Statement of Purpose:

To address issues with affordable housing, multiunit residential buildings, sewerage systems, housing authority jurisdiction, training for certain municipal officials involved in planning and zoning decisions and compliance with municipal zoning regulations.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: SEN. ANWAR, 3rd Dist.

S.B. 804